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Patent EN  
51306/776:1  
253/276 2/25/03

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: ) Group Art Unit: 2164  
Paul Denimarck et al. ) Examiner: To Be Determined  
Serial No.: 09/909,576 )  
Filed: July 20, 2001 )  
For: BIOMETRIC SYSTEM AND METHOD )  
FOR IDENTIFYING A CUSTOMER UPON )  
ENTERING A RETAIL ESTABLISHMENT )

### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Washington, DC 20231

Sir:

In accordance with 37 CFR §§ 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. The items are listed on the attached form PTO-1449 and copies are enclosed for the convenience of the Examiner.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

### INFORMATION DISCLOSURE STATEMENT FILING PROVISION:

This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application

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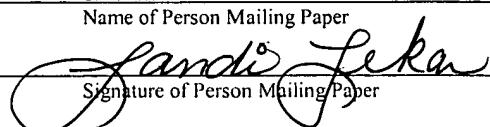
### CERTIFICATE OF MAILING (37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Commissioner for Patents, Washington, D.C. 20231.

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February 11, 2003  
Date of Deposit  
PortInd2-4415468.1 0051306-00776

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Sandi Lekar  
Name of Person Mailing Paper  
  
Signature of Person Mailing Paper

filed under § 1.53(d); or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

- However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.
- However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.
- This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.
  - The fee due under 37 CFR § 1.17(p) is submitted herewith.
  - A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.
- This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

**STATEMENT UNDER 37 CFR § 1.97(e):**

- Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

Applicant sets forth below concise explanation of the relevance of each document not in the English language and/or selected documents(s) in the English language.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

- A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).
- Please charge PSC's Deposit Account No. 13-4953 for the above fee(s).
- The Commissioner is authorized to charge PSC's Deposit Account No. 13-4953 for any fees which may be required.<sup>1</sup>

Respectfully submitted,

STOEL RIVES LLP

Dated: February 11, 2003

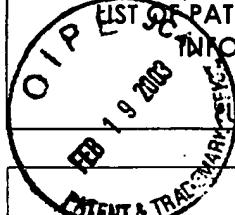
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<sup>1</sup> The Commissioner is authorized to charge Stoel Rives LLP's Deposit Account No. 19-4455 if the above-referenced Account No. 13-4953 has insufficient funds.



PATENTS AND OTHER ITEMS FOR APPLICANT'S  
INFORMATION DISCLOSURE STATEMENT  
(Use several sheets if necessary)

ATTY. DOCKET NO.  
51306/776:1 USSERIAL NO.  
09/909,576APPLICANT:  
Paul Denimarck et al.FILING DATE:  
July 20, 2001GROUP:  
2164

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	CLASS	FILING DATE
	AA	5,918,211	6/1999	Sloane		16	
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						

RECEIVED  
FEB 21 2003  
GROUP 3600

RECEIVED  
FEB 20 2003  
Technology Center 2100

## FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES NO
	AI	WO 00/49551	8/2000	PCT	G06F	17/60	
	AJ	EP 0 856 812 A2	8/1998	EPC	G06K	17/00	
	AK						
	AL						
	AM						

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)

	AN	International Search Report dated 24/01/2003 for International Application No. PCT/ US02/22145
	AO	A. Litan, J. Fenn, "The Check is in the Air: The Future of Payment, <a href="http://louie.sbcc.cc.ca.us/research/ras/97100/97106/97106.html">http://louie.sbcc.cc.ca.us/research/ras/97100/97106/97106.html</a> , retrieved on 2002-11-25
	AP	
	AQ	
	AR	

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant